

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,)
)
)
Plaintiff,) Civil Action No. 4-23-CV-1224-P
)
v.)
)
AGRIDIME LLC, JOSHUA LINK, and JED WOOD,)
)
)
Defendants,)

MOTION TO RETAIN WICK PHILLIPS AS RECEIVER COUNSEL

Steve Fahey, in his capacity as the Court-appointed Receiver (“Receiver”) for Agridime LLC (“Agridime”) in the above-captioned case, hereby files this Motion to Employ Wick Phillips Gould & Martin LLP (“Wick Phillips”) as Counsel to Receiver Effective January 22, 2024, pursuant to this Court’s Order Appointing Receiver (ECF No. 15) (“Receivership Order”) and requests the entry of an order, substantially in the form of the proposed order “Proposed Order” attached as Exhibit A, granting approval to employ Wick Phillips as counsel to the Receiver in this case. In support of this Motion, the Receiver respectfully represents as follows:

I. Background

1. On December 11, 2023, the Securities and Exchange Commission (“SEC”), filed its application for the appointment of a receiver for Agridime.
2. On December 11, 2023, this Court appointed Steve Fahey as Receiver for Agridime.

3. Pursuant to paragraph 7, subparagraph F, the Receiver is authorized to engage and employ attorneys as the Receiver deems necessary to assist the Receiver in carrying out his duties as set forth in the Receivership Order.

II. Relief Request

4. The Receiver seeks entry of an order authorizing the employment and retention of Wick Phillips effective as of January 22, 2024, as counsel to the Receiver.

5. Wick Phillips' representation and assistance may include, without limitation, the following:

- a. Taking any action as is necessary to preserve and protect the Receivership assets, including, but not limited to, prosecution of actions on the Receiver's behalf and defending any actions commenced against the Receiver;
- b. Representing the Receiver in any matters related to the marshaling, conservation, preservation, acquisition, retention, operation, and liquidation of the Receivership's assets;
- c. Searching for and securing all assets for the Receiver from a variety of potential sources and determining how any assets may have dispersed.

III. Compensation and Reimbursement

6. Subject to this Court's approval of Wick Phillips' engagement, the Receiver proposes to compensate Wick Phillips at the rates listed below:

<u>Name</u>	<u>Title</u>	<u>Proposed Rate</u>
David Drez	Senior Partner	\$575
Brant Martin	Senior Partner	\$575
Jacob Fain	Senior Partner	\$575
Paul Elkins	Partner	\$475
Schyler Parker	Partner	\$475
Colin Benton	Associate	\$375

Stafford Brantley	Associate	\$375
Emily Steppick	Associate	\$375
-	Paralegal	\$225

7. Wick Phillips shall seek approval for compensation of its fees and expenses in accordance with section XIV of the Court's Receivership Order, the local rules of this Court, and other applicable orders of the Court. Wick Phillips will keep contemporaneous time records on a daily basis and track its billings on a tenth-of-an-hour basis with time charges allocated accordingly.

IV. Wick Phillips' Disinterestedness

8. To the best of the Receiver's knowledge, neither Wick Phillips nor any partner, counsel, or associate has any current connection with the SEC, the Receiver, the Receivership Defendants, or any other significant parties-in-interest in this Case, nor represents any interest adverse to the SEC, the Receiver, the Receivership Defendants, or any other significant parties-in-interest in this Case on the matters to which Wick Phillips is being retained.

V. Notice

9. Notice of this Motion has been provided to: (a) counsel to the SEC; (b) counsel to the Receivership Defendants, if known; and (c) those persons who have formally appeared and requested notice in this Case, as applicable. The Receiver submits that no other or further notice need be provided.

10. Accordingly, the Receiver respectfully requests that this Court enter the Proposed Order (a) authorizing the employment of Wick Phillips as counsel for the Receiver in this Case effective as of January 22, 2024; (b) authorizing Wick Phillips to be compensated as set forth

herein, subject to the terms of section XIV of the Receivership Order; and (c) awarding the Receiver such other and further relief that this Court deems just and proper.

Dated: January 22, 2024

Respectfully Submitted,

By: /s Steve Fahey
Steve P. Fahey
(*Receiver*)
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CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with counsel for Plaintiff SEC and Defendant Jed Wood as to the terms and conditions of the employment of Wick Phillips as set forth in the foregoing motion. Counsel for the SEC and defendant Wood are not opposed to the relief sought in this motion.

/s Steve Fahey
Steve P. Fahey
(*Receiver*)

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2024, the foregoing motion was served via CM/ECF and via email on counsel for Plaintiff SEC and Defendant Jed Wood.

/s Steve Fahey
Steve P. Fahey
(*Receiver*)